

REMARKS/ARGUMENTS

1. Priority

The applicant states that the current application as filed is an accurate translation of the claimed priority document, Taiwan patent application no. 092116312, filed
5 06/16/2003.

2. Claim rejections

The applicant respectfully disagrees with the Examiner's statement of "The second operational mode is performed irrespective of the condition whether the detected period is less than the predetermined period. However, that includes the "if" situation also and
10 hence, meets the claimed limitations."

The cited references of paragraphs [0183] and [0184] of Yoshioka clearly teach that the reference device changes mode only in response to a data request signal from an exterior device. Changing mode in response to a data request signal is completely unrelated to changing mode in response to a length of the detected period. It is easy to
15 envision situations where the present invention changes modes while the reference does not because no data request has been received, or where the reference device changes modes in response to a data request signal even though the detected period was not less than the predetermined period (claim 7 also carries limitations of remaining in the first mode in this situation).

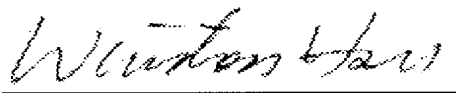
Without hindsight afforded by the present application, it is believed that no reasonable person skilled in the art would understand the reference to teach the same method as what is claimed or to teach that the data request occurs when and only when the detected period is less than the predetermined amount as is appearing to be suggested by the Examiner. MPEP 2131 (and 2143.03) states that a reference must teach
20 each and every element of a claim, either expressly or inherently.

The applicant asserts that the reference does not expressly or inherently teach or suggest the claimed limitation of changing modes in response to the detected period

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being less than a predetermined amount and has given simple examples validating the assertion. Therefore, reconsideration and allowance of all claims in the application is respectfully requested.

5 Sincerely yours,



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15 is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)